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## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant  
application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/438,185
Filing Date	November 11, 1999
Examiner Name	Duffy, Patricia A.
First Named Inventor	Stephens, Richard S.
Group Art Unit	1645
Attorney Docket Number	018941-000411US

#19  
Cinda  
10/29/02

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1.	Submission required under 37 C.F.R. § 1.114
a.	<input type="checkbox"/> Previously submitted
i.	<input type="checkbox"/> Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).
ii.	<input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
iii.	<input type="checkbox"/> Other _____
b.	Enclosed
i.	<input checked="" type="checkbox"/> Amendment/Reply
ii.	<input type="checkbox"/> Affidavit(s)/Declaration(s)
iii.	<input type="checkbox"/> Information Disclosure Statement (IDS)
iv.	<input type="checkbox"/> Other _____
2.	Miscellaneous
a.	<input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
b.	<input type="checkbox"/> Other _____
3.	Fees
a.	The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
i.	<input type="checkbox"/> The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 20-1430
ii.	<input checked="" type="checkbox"/> RCE fee required under 37 C.F.R. § 1.17(e)
iii.	<input checked="" type="checkbox"/> Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
iv.	<input type="checkbox"/> Other _____
b.	Check in the amount of \$ _____ enclosed
c.	Payment by credit card (Form PTO-2038 enclosed)

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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)	Kevin Bastian	Registration No. (Attorney/Agent)	34,774
Signature		Date	October 17, 2002

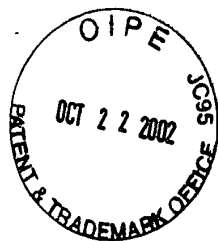
### CERTIFICATE OF MAILING OR TRANSMISSION

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Name (Print /Type)	Stephanie Whitehurst
Signature	
Date	October 17, 2002

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On: October 17, 2002

TOWNSEND and TOWNSEND and CREW LLP

By: \_\_\_\_\_

Stephanie J. Whitehurst

PATE  
Attorney Docket No.: 018941-000411L  
Client Ref. No.: B98-002

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

STEPHENS et al.

Application No.: 09/438,185

Filed: November 11, 1999

For: CHLAMYDIA PNEUMONIAE  
GENOME SEQUENCE

Examiner: Duffy, Patricia A.

Art Unit: 1645

AMENDMENT

Amor  
20/E  
Linda  
10/29/02

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action mailed July 21, 2002, please consider the following amendments and remarks. A Request for Continued Examination is filed with this response.

IN THE CLAIMS:

Please cancel claims 11-22. Please add new claims 23-34, as follows.

Sub  
G'  
E'

23.(New) An isolated *Chlamydia pneumoniae* protein comprising the amino acid sequence set forth in SEQ ID NO: 1047.

24.(New) A composition comprising the isolated protein of claim 23, and a carrier.